

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

CALVIN JORDAN)	
BOP Reg. #12686-003,)	
Petitioner,)	
)	CIVIL ACTION NO. 16-00342-WS
v.)	
)	CRIMINAL ACTION NO. 12-00127-WS-N-1
UNITED STATES OF AMERICA,)	
Respondent.)	

ORDER

After due and proper consideration of the issues raised, and there having been no objections filed, the Report and Recommendation (Doc. 80¹) of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B)-(C), Rule 8(b) of the Rules Governing Section 2255 Proceedings for the United States District Courts, and S.D. Ala. GenLR 72(a)(2)(R), and dated August 22, 2017, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that the Government's motion to dismiss (Doc. 78) is **GRANTED** and that Petitioner Calvin Jordan's operative Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. § 2255 (Doc. 77) is **DISMISSED with prejudice**.² It is further **ORDERED** that Jordan is not entitled to a Certificate of Appealability in relation to this final adverse order. Finally, the Court certifies that any appeal of this order would be without merit and therefore not taken in good faith. Thus, Jordan is not entitled proceed *in forma pauperis* on appeal.

DONE and ORDERED this the 20th day of September, 2017.

s/WILLIAM H. STEELE
UNITED STATES DISTRICT JUDGE

¹ All "Doc." citations herein refer to the docket of the above-styled criminal action.

² Jordan's initial, handwritten motion (Doc. 74) is **MOOT** by virtue of his filing the superseding operative petition.